

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
Williamsport Division

COLUMBIA GAS TRANSMISSION,
LLC,

Plaintiff,

v.

1.01 ACRES MORE OR LESS IN
PENN TOWNSHIP, YORK COUNTY,
PENNSYLVANIA, *et al.*,

Defendants.

Case No. 4:13-CV-00778-MWB

United States District Judge
Hon. Matthew W. Brann

**MOTION TO HOLD JOINT
STATUS CONFERENCE ON THE STATUS OF PLAINTIFF'S RULE 59(E)
MOTION TO ALTER, AMEND, AND/OR RECONSIDER JUDGMENT**

Plaintiff Columbia Gas Transmission, LLC ("Columbia"), by counsel, hereby moves the Court to set a status conference related to the disposition of Columbia's Motion to Alter, Amend, and/or Reconsider Judgment ("Motion to Reconsider"). In support, Columbia states as follows:

1. On December 13, 2013, Columbia filed its Motion to Reconsider.
2. The basis for the Motion to Reconsider is that the Federal Energy Regulation Commission issued a Final Rule on November 22, 2013, which Columbia contends clarifies its powers of eminent domain and affects the Court's October 24, 2013, and November 15, 2013, Orders.

3. FERC issued the Final Rule one week after Columbia filed an appeal to the United States Court of Appeal for the Third Circuit.

4. The Third Circuit has stayed Columbia's appeal pending this Court's ruling on the Motion to Reconsider.

5. The parties jointly agreed to stay the appeal because they wish to have a complete record in this Court and to avoid the potential for two appeals: one appeal of the ruling on the cross-motions for summary judgment and a second appeal of the Motion to Reconsider.

6. Accordingly, disposition of the Motion to Reconsider affects the proceedings in this Court, the Third Circuit appeal, and Columbia's potential ability to proceed with its pipeline replacement project.

7. On March 7, 2014, the Court held a telephonic hearing on the Motion to Reconsider at the end of which the Court stated that it was inclined to grant the Motion and that a decision should be expected within 30 days.

8. Therefore, Columbia requests that this Court set a status conference to review the status of Columbia's pending Motion to Reconsider and the Court's ruling on the Motion.

WHEREFORE, Plaintiff Columbia Gas Transmission, LLC respectfully requests that the Court set a status conference regarding Columbia's Rule 59(E)

Motion to Alter, Amend, and/or Reconsider Judgment, and for such other relief as the Court deems just.

Dated: May 7, 2014

Respectfully submitted,

/s/ Anastasia P. Cordova

Erin N. Fischer
PA Bar No. 93155
McGuireWoods LLP
625 Liberty Avenue, 23rd Floor
Pittsburgh, Pennsylvania 15222-3142
P: 412-667-7919
F: 412-667-7974
E-Mail: efischer@mcguirewoods.com

M. Melissa Glassman (VA Bar No. 27526)
(admitted *pro hac vice*)
John D. Wilburn (VA Bar No. 41141)
(admitted *pro hac vice*)
Anastasia P. Cordova (VA Bar No. 78936)
(admitted *pro hac vice*)
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, Virginia 22102
P: 703-712-5000
F: 703-712-5050
E-mail: mglassman@mcguirewoods.com
E-mail: jwilburn@mcguirewoods.com
E-mail: acordova@mcguirewoods.com

Counsel for Plaintiff
Columbia Gas Transmission, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of May, 2014, a true copy of the foregoing was filed electronically and thereby served on:

Michael F. Faherty, Esquire
225 Market Street, Suite 304
P. O. Box 1245
Harrisburg, PA 17108-1245
Counsel for Defendants

/s/ Anastasia P. Cordova
Anastasia P. Cordova
McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
Tysons Corner, Virginia 22102
P: 703-712-5000
F: 703-712-5050
E-mail: acordova@mcguirewoods.com

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